REMARKS

This application has been reviewed in light of the Office Action dated November 5, 2002. Claims 24-36 are presented for examination. Claims 24 and 31, the independent claims, have been amended to define more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

Second Request For Acknowledgment

Turning first to a formal matter, Applicants have not yet received acknowledgment of the claim for foreign priority and the receipt of the certified copy. Applicants, in the Amendment dated April 21, 2002, requested such acknowledgment, stating the a Claim To Priority and a certified copy of the priority document for this application were filed on December 21, 1998. Applicants further attached a copy of the stamped returned receipt postcard to the Amendment of April 21, 2002. Accordingly, Applicants respectfully request, for the second time, acknowledgment of the claim for foreign priority and the receipt of the certified copy.

Also, in the Amendment dated April 21, 2002, Applicants requested the Examiner return initialed copies of the Forms PTO-1449 that were filed with the Information Disclosure Statements dated April 5, 1999 and June 21, 2002. Applicants note that the Office Action Summary sheet for the Office Action dated November 5, 2002 indicates that Form PTO-1449 for "Paper No. 8" was to have been attached to the Office Action. Applicants, however, did not receive the initialed form. Accordingly, Applicants respectfully request that the Examiner return initialed copies of the Forms PTO-1449 for

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the Information Disclosure Statements dated April 5, 1999 and June 21, 2002, indicating the references cited thereon were considered.

Rejection of Claims 24-36

Claims 24, 25, 28, 29, 31, 32, 35, and 36 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,108,033 (*Ito et al.*). Claims 26, 27, 30, 33, and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ito et al.* in view of U.S. Patent No. 6,359,644 (*Salvati*).

As shown above, Applicants have amended independent Claims 24 and 31 in terms that more clearly define the present invention. Applicants submit that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 24 is an image processing apparatus. The image processing apparatus includes an input unit, a reception unit, a detection unit, and a transmission unit. The input unit inputs image data. The reception unit receives information of at least one of a size of an object and a distance to the object, for detecting a desired object, from an external apparatus. The detection unit detects the desired object corresponding to the information received by the reception unit, from the image data input by the input unit. The transmission unit, in case that the detection unit detects the desired object, transmits a detection result of the desired object to the external apparatus.

One important feature of Claim 24 is that the image processing apparatus of the present invention receives information of at least one of a size of an object and a

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distance to the object from an external apparatus to use it to detect a desired object and transmits a detection result to the external apparatus in case that the apparatus of the present invention detects an object corresponding to the received information from input image data. This feature of the present invention is not taught from each of or a combination of *Ito et al.* and *Salvati*.

Ito et al., as understood by Applicants, relates to a video monitoring method and system for monitoring an object in an image picked up by a television camera. Apparently, *Ito et al.* teaches a monitor camera which detects an object and tracks it. The *Ito et al.* system detects an object image using "a background difference method" (Figs. 5A-5B) to generate a template (Fig. 5D, 604) used to track the detected object (column 6, lines (58-67). Specifically, the object tracking control feature of *Ito et al.* detects matching between the template and an object image in picture images subsequent to the picture including the detected object, thereby detecting an object to be tracked and the distance to the object. In addition, the template is updated in accordance with an object image in a picture.

However, although the *Ito et al.* system generates the template on the basis of the detected object image, *Ito et al.* fails to teach receiving information of at least one of a size of an object to be detected and a distance thereto, from an external apparatus to detect an object image. *Ito et al.* merely detects an object image from a picture image using the background difference method and does not refer to such the information, noted above, to detect the object.

Accordingly, Applicants submit that Claim 24 is not anticipated by *Ito et al.*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(e).

Salvati is not seen to overcome the deficiencies of *Ito et al.* While *Salvati* may teach measuring a distance to an object using focus control information, it fails to teach the feature of the present invention recited in the Claim 24, namely receiving information of at least one of a size of an object and a distance to the object from an external apparatus to use it to detect a desired object and transmitting a detection result to the external apparatus in case that the apparatus of the present invention detects an object corresponding to the received information, from input image data.

Therefore, a combination of *Ito et al.* and *Salvati*, assuming such a combination is even permissible, still would not describe or suggest at least the features of Claim 24.

Independent Claim 31 is a method claim corresponding to apparatus Claim 24, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 24.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested
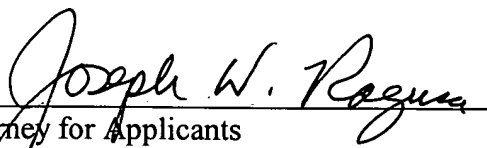
that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

Applicants respectfully request favorable consideration and early passage to issue of the present divisional application.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

24.   An image processing apparatus comprising:

an input unit adapted to input image data;

a reception unit adapted to receive information [from an external apparatus as to] of at least one of a size of an object [or] and a distance to the object, for detecting a desired object, from an external apparatus;

a detection unit adapted to detect the desired object corresponding to the information received by said reception unit, from the image data input by said input unit; and

a transmission unit adapted to, in case that said detection unit detects the desired object, transmit a detection result of the desired object to the external apparatus [when said detection unit detects the object].

31.   An image processing method comprising the steps of:

inputting image data;

receiving information [from an external apparatus as to] of at least one of a size of an object [or] and a distance to the object, for detecting a desired object from an external apparatus;

detecting the desired object corresponding to the information received in the receiving step, from the image data and

transmitting, in case that said detecting step detects the desired object, a detection

result of the desired object to the external apparatus [when the object is detected].